

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JOSEPH F. HUTCHISON, *et al.*

Plaintiffs,

-v-

FIFTH THIRD BANCORP

Defendant.

) Case No. 1:01-789

)

) (Judge Beckwith)

)

) **DEFENDANT FIFTH THIRD**

) **BANCORP'S NOTICE OF RULE 26**

) **COMPLIANCE**

)

)

Now comes Defendant, Fifth Third Bancorp ("Defendant"), by and through counsel, in accordance with the Court's Calendar Order dated November 6, 2003, states that it has complied with the witness disclosures required by the Court.

Respectfully submitted,

/s/ Sue A. Erhart

Patrick F. Fischer (0039671)

Sue A. Erhart (0066639)

1400 Provident Tower

One East Fourth Street

Cincinnati, Ohio 45202

Tel: (513) 579-6459

Fax: (513) 579-6457

pfischer@kmklaw.com

serhart@kmklaw.com

Attorney for Defendant,

FIFTH THIRD BANCORP

OF COUNSEL:

KEATING, MUETHING & KLEKAMP, P.L.L.

1400 Provident Tower

One East Fourth Street

Cincinnati, Ohio 45202

(513) 579-6400

- 2 -

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing DEFENDANT FIFTH THIRD BANCORP'S NOTICE OF RULE 26 COMPLIANCE was served upon Richard G. Meyer and Todd V. McMurtry, Deters, Benzinger & LaVelle, P.S.C., 207 Thomas More Parkway, Crestview Hills, Kentucky 41017-2596, via the Court's electronic mail system, this 15th day of October, 2004.

/s/ Sue A. Erhart
Sue A. Erhart

1349557.1